

MINUTES
SENATE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, January 19, 2023

TIME: 1:30 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Cook, Vice Chairman Lenney, Senators Lakey, Guthrie, Ricks, Foreman, Hartgen, Ward-Engelking, and Ruchti

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Cook** called the Senate Commerce and Human Resources Committee (Committee) to order at 1:30 p.m.

MINUTES APPROVAL: **Senator Lakey** moved to approve the Minutes of January 12, 2023. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

GUBERNATORIAL REAPPOINTMENT VOTE: **Committee Vote on the Gubernatorial Reappointment of Patti Perkins, Director, Idaho Department of Finance (IDOF).**

MOTION: **Senator Ward-Engelking** moved to send the gubernatorial reappointment of Patti Perkins, Director, IDOF, to the floor with the recommendation she be confirmed. **Senator Guthrie** seconded the motion. The motion carried by **voice vote**.

Senator Lakey disclosed he served on the Idaho State Insurance Fund with Mr. Higgins and Mr. Gestrin.

GUBERNATORIAL REAPPOINTMENT VOTE: **Committee Vote on the Gubernatorial Reappointment of Rodney Higgins to the Idaho State Insurance Fund (ISIF).**

MOTION: **Senator Lakey** moved to send the gubernatorial reappointment of Rodney Higgins, ISIF, to the floor with the recommendation he be confirmed. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

GUBERNATORIAL APPOINTMENT VOTE: **Committee Vote on the Gubernatorial Appointment of Terry Gestrin to the Idaho State Insurance Fund.**

MOTION: **Senator Ricks** moved to send the gubernatorial appointment of Terry Gestrin, ISIF, to the floor with the recommendation he be confirmed. **Senator Guthrie** seconded the motion. The motion carried by **voice vote**.

GUBERNATORIAL REAPPOINTMENT VOTE: **Committee Vote on the Gubernatorial Reappointment of Jani Revier, Director, Idaho Department of Labor (IDOL).**

MOTION: **Senator Ruchti** moved to send the gubernatorial reappointment of Jani Revier, Director, IDOL to the floor with the recommendation she be confirmed. **Senator Ricks** seconded the motion. The motion carried by **voice vote**.

**GUBERNATORIAL
REAPPOINTMENT:**

Committee Consideration of the Gubernatorial Reappointment of Lori Wolff, of Meridian, Idaho, Administrator, Idaho Division of Human Resources (IDHR), to serve a term commencing January 2, 2023 and serving at the pleasure of the Governor. Ms. Wolff gave a brief overview of her background. She noted she learned and developed a passion for work done in State government because that touched hundreds of thousand of people. She gained a huge understanding of the dedication of employees. **Ms. Wolff** stated her background prepared her for this job. She noted challenges existed in recruiting and retaining staff as a result of the pandemic. She remarked she performed her job because she loved Idaho and wanted to make a difference. She quoted part of a poem that "people who were crazy enough and who thought they could change world, did."

DISCUSSION:

In response to a question from **Senator Lakey** about changing the world and what had changed since Ms. Wolff took over the position at the IDHR, she remarked the staff discussed what was not being done well at the IDHR. There were significant changes in State Code outlining IDHR responsibilities. Because of this, the IDHR was reorganized and several employees were hired in key positions, such as in the areas of workers' compensation, American Disabilities Act (ADA), equal opportunity, and recruitment management. The IDHR tried to target the younger workforce and streamlined recruitment time. The IDHR looked at areas that did not require a degree in order to apply for a State job, with the goal of looking at putting people on career paths. There was much still to be done.

Senator Ruchti asked what was the biggest challenge during the pandemic and what had Ms. Wolff implemented at the IDHR. **Ms. Wolff** reported the biggest challenge was managing remote work. She noted at the same time there was a lot of money available for new programs. It was, however, difficult to hire people. There was a record set for resignations since some employees sought early retirement. Keeping pace with wages was difficult with fewer people available to do the work. The IDHR followed some of the public policies as they pertained to COVID-19. Employees had more flexible work schedules. She noted the IDHR was trying to work more efficiently, using technology to work more collectively across State government.

Chairman Cook and **Ms. Wolff** discussed proposed changes to the IDHR, including being more aggressive in increasing employee wages and implementing new IDHR services in order to operate more as a State agency, sharing services across-the-board.

Chairman Cook noted the vote for this gubernatorial reappointment would be at the next meeting.

**PASSED THE
GAVEL:**

Chairman Cook passed the gavel to Vice Chair Lenney.

**DOCKET NO.
24-0000-2202F**

Division of Idaho Occupational and Professional Licensing (IDOPL) - Notice of Omnibus Rulemaking (Fee Rule) - Proposed Rule, p. II. **Tim Frost**, Deputy Administrator, IDOPL, gave an in-depth overview of the changes and referred to the red-line versions of the Dockets (Attachments 1 - 5). Some of the rules were a total rewrite and he noted the remainder of the IDOPL rule chapters within the legislative book had either no changes or de minimis changes and would be presented together. There was one remaining rule relating to the Electrical Board that would be presented separately. He went over the rules for pending and fee rules. He named all of the Boards, including Driving Licensure, Accountancy, Plumbing, and Heating, Ventilation, and Air Conditioning (HVAC).

DISCUSSION: **Chairman Cook** and **Mr. Frost** discussed reciprocity, noting there was no controversy or concern regarding the requirements.

Senator Lakey and **Mr. Frost** discussed there was nothing in rule related to cheating, but Mr. Frost would follow up. **Senator Lakey** noted the Peer Review Oversight Committee (PROC) was eliminated and queried why the IDOPL Board thought the PROC was not needed. **Mr. Frost** pointed out the review was done during accreditation on the national or regional level so this was redundant.

Mr. Frost continued to note the changes in the docket.

DISCUSSION: **Senator Ricks** asked for clarification relating to apprentice hours changing from 6,000 hours to 8,000 hours. **Mr. Frost** stated 8,000 hours was consistent and had been in statute for many years. **Senator Ricks** and **Mr. Frost** discussed many new apprentices were coming into the system but shortages occurred due to growth in population.

Senator Lakey and **Mr. Frost** discussed the change in the civil penalties charges from \$200 to \$1,000. **Mr. Frost** stated all of the Boards agreed the \$200 fine for a first offense was too lenient, but a \$1,000 civil penalty sent a message.

Mr. Frost continued to note the changes in the docket.

DISCUSSION: **Senator Lakey** remarked in the past, there were discussions about the Energy Code and the role government played and asked for an update. **Mr. Frost** reported the Building Code Board conducted negotiated rulemaking in 2022 and adopted Energy Code requirements. Some requirements were not changed. Many entities opposed removing any of the requirements for the Energy Code. He stated some engineers and architects were in opposition to the rule chapter. At the November 2022 meeting, the IDOPL Board decided not to move forward to continue negotiated rulemaking in 2023.

MOTION: **Senator Lakey** moved to approve **Docket No. 24-0000-2202F**. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 24-3910-2201 **Rules of the Idaho Electrical Board (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule, p. 376**. **Mr. Frost** gave a brief overview of the changes in the rule (Attachment 6).

DISCUSSION: **Chairman Cook** and **Mr. Frost** discussed the limitations of installer licenses and the rules that provided for the scope of work.

Mr. Frost noted the Electrical Board (Board) adopted a new code cycle and moved to the 2020 National Electrical Code. The Code Collaborative asked the Board to delay the changes for a year to accommodate the IDOPL transition to consolidate and move to the Chinden campus in 2021. The Electrical Board took the entirety of the changes and adopted them. Conversations occurred relating to a minimum code for solar installations. The setback requirements were relaxed.

Senator Lakey inquired if there was a summary of the changes between the current code and the 2020 code. **Mr. Frost** indicated he would provide a written copy. **Senator Lakey** noted his preference was not to vote until further information on the changes were provided.

Senator Ricks queried if there was an effort or were the changes to be done on a Zero-Based Regulation (ZBR) on any consistent basis? **Mr. Frost** answered the IDOPL was on a 5-year cycle. The Governor would determine if

that cycle would change. He noted there was nothing in statute to repeal or replace the 5-year cycle or any other specified period.

MOTION:

Senator Lakey moved to hold **Docket No. 24-3910-2201** in Committee, subject to the Call of the Chair. **Chairman Cook** seconded the motion. The motion carried by **voice vote**.

**PASSED THE
GAVEL:**

Vice Chair Lenney passed the gavel to Chairman Cook.

ADJOURNED:

There being no further business at this time, **Chairman Cook** adjourned the meeting at 3:01 p.m.

Senator Cook
Chair

Linda Kambeitz
Secretary